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## SENATE BILL No. 69

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-46-5-2.

**Synopsis:** Unlawful post mortem retrieval of human gamete. Provides that a person who intentionally retrieves a human gamete from a deceased individual for reproductive purposes commits unlawful retrieval of a human gamete, a Class D felony. Provides that it is a defense to prosecution if the person performed the retrieval at the request of the deceased individual's spouse and the individual who is deceased had given express written consent for the retrieval.

**Effective:** July 1, 2001.

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### Jackman

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January 8, 2001, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## SENATE BILL No. 69

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A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 35-46-5-2 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2001]: **Sec. 2. (a) A person who intentionally retrieves a human**  
4 **gamete from a deceased individual for reproductive purposes**  
5 **commits unlawful retrieval of a human gamete, a Class D felony.**  
6       **(b) It is a defense to a prosecution under this section that:**  
7       **(1) the person performed the retrieval at the request of the**  
8       **deceased individual's spouse; and**  
9       **(2) the retrieval was made under an express written consent**  
10       **for the retrieval signed by the individual who is deceased.**



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